

JUN 29 2004

**McDermott  
Will & Emery**Boston Brussels Chicago Düsseldorf London Los Angeles Miami Milan  
Munich New York Orange County Rome San Diego Silicon Valley Washington, D.C.**OFFICIAL  
FACSIMILE****Date:** June 29, 2004**Time Sent:**

<b>To:</b>	<b>Company:</b>	<b>Facsimile No:</b>	<b>Telephone No:</b>
Examiner: Chirag Shah Group Art Unit: 2664	U.S. Patent and Trademark Office	(703) 872-9306	
<b>From:</b>	Andrew D. Mickelsen	<b>Direct Phone:</b>	(949) 757-7165
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<b>Sent By:</b>	Wendy Jones	<b>Direct Phone:</b>	(949) 757-6098
<b>Client/Matter/Tkpr:</b>	071194-0011-7894	<b>Original to Follow by Mail:</b>	No
		<b>Number of Pages, Including Cover:</b>	33
<b>Re:</b>	Preliminary Amendment; IDS and Revocation of Power of Attorney		

**Message:**

Transmitted herewith are the following documents:

1. Transmittal/Fee Calculation Sheet (1 page);
2. Preliminary Amendment (11 pages);
3. Information Disclosure Statement; Form PTO-1449; and Two (2) References (7 pages);
4. Revocation Of Power Of Attorney, Appointment And Certification Under 37 CFR 3.73(b) with copy of Merger documentation (Redacted) (13 pages).

ORC 341061-1.071194.0011

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**IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL WENDY JONES AT (949) 757-6098 AS SOON AS POSSIBLE.**

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U.S. practice conducted through McDermott Will &amp; Emery LLP.

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**PATENT**

Docket No.: 071194-0011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

J. Howard Smith, et al.

Serial No.: 09/780,979

Filed: February 09, 2001

For: DATA COMMUNICATION CONTROLLER  
AND METHOD

: Customer Number: 31824

: Examiner: Chirag Shah

: Group Art Unit: 2664

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Preliminary Amendment in the above-identified application.



No additional fee is required.



Applicant is entitled to small entity status under 37 CFR 1.27

Also attached: Information Disclosure Statement, Revocation Of Power Of Attorney, Appointment And  
Certification Under 37 CFR 3.73(b)

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	34	29	5	\$18.00 =	\$90.00
Independent Claims	9	4	5	\$86.00 =	\$430.00
Multiple claims newly presented					\$0.00
Fee for extension of time					\$0.00
Total of Above Calculations					\$520.00

☒ Please charge my Deposit Account No. 502203 in the amount of \$520.00. An additional copy of this transmittal sheet is submitted herewith.☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 502203, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

MCDERMOTT WILL &amp; EMERY LLP

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